

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF OKLAHOMA**

IN RE: }
JAMES, DERRICK LEE } Case No. 19-81376
Debtor(s). } Chapter 7

**TRUSTEE'S OBJECTION TO MOTION OF DEBTOR
TO REDEEM PERSONAL PROPERTY AND APPROVE FINANCING**

COMES NOW Gerald R. Miller, Trustee herein, and for his objection to the Motion of Debtor Derrick Lee James to Redeem Personal Property and Approve Associated Financing and Attorney Fees Under 11 U.S.C. 722 states as follows:

1. The Debtor, Derrick Lee James (hereinafter referred to as "Debtor") has filed a Motion seeking to Redeem Personal Property and Approve Associated Financing and Attorney Fees Under 11 U.S.C. 722 regarding the following described property, to wit:

2015 Mitsubishi Outlander Sport ES VIN #4A4AP3AU9FE050788

hereinafter referred to as the "Property."

2. The Debtor states that the "redemption value" of the Property should be determined to be not more than \$7,000 as evidenced in the National Automobile Dealers Association (NADA) Guides Value Report for an average trade-in for this Property.

3. The Trustee alleges and states that the value of \$7,000 is not an accurate value for this Property as it represents "Average Trade-In" value rather than actual value of the vehicle.

4. The Trustee objects to the determination of value for the Property described herein as set forth in the Debtor's motion as \$7,000, and requests that the Court conduct an evidentiary hearing determine the actual value of said Property.

WHEREFORE the Trustee objects to the Motion of Debtor Derrick Lee James to Redeem Personal Property and Approve Associated Financing and Attorney Fees, and prays that said motion be DENIED.

s/Gerald R. Miller
Gerald R. Miller, OBA #6205
112 N. 7th Street
Muskogee, OK 74401
(918) 687-1347
Bankruptcy Trustee

CERTIFICATE OF MAILING

Gerald R. Miller, Trustee herein, hereby certifies that on January 24, 2020, electronic notice of the above and foregoing pleading was given to all parties shown on the Notice of Electronic Filing filed herein. Further, on January 24, 2020, he mailed a true and correct copy of said Objection, with postage thereon fully prepaid, to the following:

Derrick James
825 NW Delaware Ave., Unit 1
McAlester, OK 74501

Commerce Bank
PO Box 419248
Kansas City, MO 64179-0010

S/Gerald R. Miller